

REMARKS

Reconsideration of the application, in light of the amendments and arguments herein is respectfully requested.

I Status of the Claims

Claims 7, 8, and 29-32 have been cancelled without prejudice or disclaimer of the subject matter therein.

Claims 9 and 14 have been amended and the amendments do not add new matter.

Claims 1-6 and 9-28 are pending.

II Status of the Drawings

Applicant has amended Figures 1-12 pursuant to the Notice of Draftsperson Review, no new matter has been added, and Applicant respectfully requests that the objection to the drawings be withdrawn.

III Status of the Specification

Applicant has amended the Specification to correct minor typographical errors and no new matter has been added.

IV Claim for Priority

The Examiner acknowledged Applicant's claim for priority under 35 U.S.C. § 119 but states the certified copies of the priority documents have not been filed. Applicant respectfully states that

the seven priority documents (JP 11-313973, JP 11-313974, JP 11-313975, JP 11-313976, 11-317515, JP 11-347012, and JP-11360124) were submitted on March 2, 2001. Applicant encloses herewith, as Exhibit A, a copy of the Return Postcard indicating that the 7 priority documents were transmitted to the U.S. Patent and Trademark Office. The Return Postcard was received by the Office of Initial Patent Examination on March 5, 2001 and is presented as *prima facie* evidence that the Priority Documents were received. Thus, Applicant respectfully submits that the claim for priority has been perfected and requests acknowledgment of the perfected claim by the Examiner.

V Acknowledgment of Allowable Subject Matter

Applicant thanks the Examiner for the acknowledgment of allowable subject matter in claims 3-6, 19-21, 23, and 25-26.

VI Rejections under 35 U.S.C. § 112

Claims 14 and 15 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has amended claim 14 to correct the informality noted by the Examiner. Applicant respectfully states that claim 14 is definite and requests that the rejection be withdrawn.

VII Rejections under 35 U.S.C. § 102

Claims 1, 2, 18, 22, and 24 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,625,328 to Freadman. The Examiner contends that Freadman discloses every element of the claims. Applicant respectfully traverses the above rejection.

bottom of the case to the housing. Barrow states that “wall 30 is integrally formed in the housing 10 to provide a chamber 31”, Barrow, column 3, lines 12-13. Thus, chamber 31 is integral with housing 10 and does not require a separate attachment member. Further, Barrow does disclose that “separate pieceparts could be used” but teaches away from using separate parts because “there is generally a cost advantage if the entire housing is formed as a single, integrally cast or molded housing.” Barrow, column 3, lines 15-17. Applicant respectfully submits that Barrow does not disclose or suggest a case separate from a housing that requires an attachment member to attach the case to the housing and thus does not disclose an attachment member.

Further, even if Barrow discloses or suggests an attachment member (which Applicant submits that he does not) Barrow’s compound is not a resilient element for resiliently attaching said bottom of said case to said housing. Barrow only states that the “potting compound fills the chamber 31” and does not disclose that the potting compound serves to attach anything in Barrow’s invention to anything else, it only “fills the chamber”. Barrow, column 3, lines 37-39.

Furthermore, Barrow’s potting compound cannot anticipate, or render obvious, a resilient element for resiliently attaching said bottom of said case to said housing. Claim 11, which depends on claim 9, claims a filler separate from the resilient element and the Examiner states that the Barrow’s compound reads on the filler. Thus, Barrow’s potting compound cannot read on the resilient element in claim 9. Additionally, claim 11, depends from claim 9 and is allowable at least based on its dependency to the independent claim.

Regarding claims 12 and 16, the Examiner contends that Barrow’s hole 36 is akin to the “groove” as recited in the claims. Applicant respectfully submits that a hole is not a groove. Webster’s dictionary defines a groove as “a long narrow channel or depression” and a hole as “an

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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Attachments